

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Establishment – State Audit Dept. – Disciplinary case against Smt. K.Prabhavathi, formerly Asst. Audit Officer, State Audit (ZP), Warangal now working as Regional Deputy Director, Zone-VI, Hyderabad - Irregularly engaged Smt.K.Mallikamba as part-time Sweeper – Violating the Act 2 of 1994 – Imposition of penalty of withholding of one annual grade increment with out cumulative effect on Smt. K.Prabhavathi, Regional Deputy Director, Zone-VI, Hyderabad – Orders – Issued.

---

**FINANCE (ADMN.II) DEPARTMENT**

**G.O.Rt.No. 1439**

**Dated:30-03-2010**

**Read the following:-**

1. Govt.Memo.No.172/131/A1/Admn.II/2003 dt.06.11.2003.
2. Explanation of Smt.K.Prabhavathi, formerly Assistant Audit Officer dt.nil addressed to the Secretary to Government.
3. G.O.Rt.No.2992, Finance (Admn.II) Deptt. dt.6.7.2005 Articles of charges issued to Smt.K.Prabhavathi, formerly Asst. Audit Officer, State Audit (ZP), Warangal now working as Regional Deputy Director, Zone-VI, Hyderabad.
4. Statement of Defense of Smt. K.Prabhavathi, formerly Asst. Audit Officer, State Audit (ZP), Warangal dt.2.8.2005.
5. G.O.Rt.Nos.1100, Finance (Admn.II) department dt.25.3.2006 Enquiry Officer Appointed.
6. From the Inquiring Authority and DTA Lr.No.DTA/Inq (State Audit)/2006 dt.24.2.2007 alongwith Inquiry Report.
7. Govt.Memo.No.172/131/A1/Admn.II/2003 dt.9.3.2007
8. DSA Lr.Roc.No.210/L1/2003 dt.12.04.2007 alongwith the explanation dt.09.04.2007 of Smt.K.Prabhavathi, formerly Asst. Audit Officer, State Audit (ZP), Warangal now working as Regional Deputy Director, Zone-VI, Hyderabad.
9. DSA Lr.Roc.No.210/L1/2003 dt.26.11.2009.
10. Govt. Lr.No.172/131/A1/Admn.II/2003 dated:11-12-2009 addressed to Secretary, APPSC, Hyderabad.
11. Secretary, APPSC, Hyderabad Letter No.145/RT.I/3/2010 dt.04.03.2010.

-oOo-

**ORDER:-**

In the reference 1<sup>st</sup> read above, Government have issued a show-cause notice to Smt. K.Prabhavathi, formerly Asst. Audit Officer, State Audit (ZP), Warangal now working as Regional Deputy Director, Zone-VI, Hyderabad to explain as to why suitable disciplinary action should not be taken against her for irregular appointment of Smt.K.Mallikamba as part-time Sweeper in the O/o the Assistant Audit Officer, State Audit (ZP), Warangal with effect from 1.3.1995 even though such appointments of part time employees were prohibited under Act 2 of 1994 and caused a pecuniary loss of Rs.18,867/- and violated the rules.

2. In the reference 2<sup>nd</sup> read above, Smt. K.Prabhavathi, formerly Asst. Audit Officer, State Audit (ZP), Warangal has submitted her explanation and stated that the allegation leveled against is defamatory and baseless, untrue and forged against her with malafide intention of blaming her and to through the axe of blame and burden upon her. The statements are unrealistic and irrational in their nature and exclusive manipulations originated from lack of proper perspective and also intentional. To sum up, she took the services of the sweeper as provided by Sri K.Ilaiah for sweeping. Hence, she has law abiding and she had not violated any of the rules and provisions at any point of time in the case Act 2 of 1994. Therefore, she has requested to kindly make an objective consideration and assessment of the relevant facts put forth by her and set aside the proposed action, if any, with a generous out look.

3. In the reference 3<sup>rd</sup> above, Government have issued the following articles of charge against Smt.K.Prabhavathi, formerly Assistant audit Officer State Audit (ZP), Warangal.

**Article of Charge:-**

That the said Smt.K.Prabhavathi, while functioning as Assistant Audit Officer, State Audit (ZP), Warangal for the period from 29.6.1992 to 8.11.1996, abusing her powers appointed Smt.K.Mallikamba as part time sweeper in the O/o the Assistant Audit Officer, State Audit (ZP), Warangal with effect from 1.3.1995 even though such appointments of part time employees were prohibited under Act 2 of 1994 which came into force w.e.f.25.11.1993, which caused a pecuniary loss of Rs.18,867/- to Government Exchequer and thus she violated Rule 3 of the A.P.C.S.(Conduct Rules), 1964.

4. In the reference 4<sup>th</sup> read above, Smt. K.Prabhavathi, formerly Asst. Audit Officer, State Audit (ZP), Warangal has submitted her statement of defense to the article charge framed against her and stated that it is false to allege that the availing the services Smt.K.Mallikamba, part-time sweeper with out the orders of her superior i.e., the then District Audit Officer is false and baseless. That after availing the services of said Smt.K.Mallikamba, she had several times addressed letter to the then District Audit Officer, Warangal to ratify/confirm the services of said Smt.K.Mallikamba. However, though said DAO has not confirmed/ratified the same, released the budget for payment of wages to her, which amounts to ratification/confirmation of her services. Therefore, she has requested the authorities to drop all further proceedings against her in the matter in the interest of principles of natural justice and equity.

5. Government have appointed an Inquiry Officer in the reference 5<sup>th</sup> read above, a regular enquiry has been conducted on the charge framed against her and the Inquiring Authority has submitted his Enquiry Report vide reference 6<sup>th</sup> read above, stating that a lapse committed out of ignorance and no malafide intention or misconduct can be attributed to the Charged Officer. Thus the charge is held partly proved.

6. In the reference 7<sup>th</sup> read above, Government have communicated the copy of Inquiry Report to the Charged Officer, Smt. K.Prabhavathi, formerly Asst. Audit Officer, State Audit (ZP), Warangal and directed to explain as to why a suitable punishment should

not be imposed under A.P.C.S.(CCA) Rules, 1991. The Director of State Audit has forwarded the explanation of Smt. K.Prabhavathi, formerly Asst. Audit Officer, State Audit (ZP), Warangal to the Government vide reference 8<sup>th</sup> read above and requested the Government that as no mis-conduct and malafide intentions were proved against her under Rule 3 of A.P.Civil Service (Conduct) Rules, 1964 as per finding given by the Inquiry Report. Therefore, further action may kindly be dropped.

7. The Director of State Audit has furnished the proforma particulars in respect of Smt. K.Prabhavathi, formerly Asst. Audit Officer, State Audit (ZP), Warangal in the reference 9<sup>th</sup> read above. After careful examination of the enquiry report and the explanation of the Charged Officer and after following due procedure, Government have taken a provisional decision to impose a punishment on Smt. K.Prabhavathi, formerly Asst. Audit Officer, State Audit (ZP), Warangal addressed a letter to the Secretary, A.P.Public Service Commission for their concurrence on the proposed punishment vide reference 10<sup>th</sup> read above.

8. In the reference 11<sup>th</sup> read above, the Secretary, A.P.Public Service Commission has revised the proposed punishment to that of withholding of one annual grade increment with out cumulative effect on Smt. K.Prabhavathi, Regional Deputy Director, Zone-VI, Hyderabad.

9. Government after careful examination of the Inquiry Report with reference to the Charge framed against the Charged Officer, Smt.K.Prabhavathi, Regional Deputy Director, Zone-VI, Hyderabad and explanations submitted by her from time to time and as advised by A.P.Public Service Commission, hereby impose a penalty of withholding of one annual grade increment without cumulative effect on Smt. K.Prabhavathi, Regional Deputy Director, Zone-VI, Hyderabad for irregular appointment of Smt.K.Mallikamba as part-time Sweeper in the O/o the Assistant Audit Officer, State Audit (ZP), Warangal .

10. The Director of State Audit is requested to take necessary action in the matter accordingly.

11 This order is available in the Internet and can be accessed at the address <http://www.ap.gov.in/goir>

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**L.V.SUBRAHMANYAM,  
PRL.SECRETARY TO GOVERNMENT (FP)**

To

The individual through the Director of State Audit, AP, Hyderabad.

The Director of State Audit, AP, Hyderabad.

Copy to the Secretary, A.P.Vigilance Commission, Hyderabad.

The Accountant General, AP, Hyderabad.

The SF/SCs

**::FORWARDED BY ORDER::**

**SECTION OFFICER**